REMARKS

I. General

Claims 1-26 are currently pending in the application. Claims 1-3, 8-9 and 15-23 stand rejected. Claims 4-7, 10-14 and 24-26 are objected to. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

II. Amendments to the Specification

Several paragraphs of the specification have been amended to reflect the numbering used in the formal drawings. The amendments are made for the sole purpose of correcting this discrepancy. No new matter has been added by these amendments.

III. Amendments to the Claims

Independent claims 1, 16, and 21 have been amended to clarify the invention. No new matter was added by these amendments.

Dependent claims 2, 5, 7-11, 13-15, 17, 18, 20, 22, and 23 have been amended to ensure proper antecedent basis from their respective base claims. These amendments are made for the sole purpose of correcting the antecedent basis of the claims and are not made in response to any cited art. No new matter has been added by these amendments.

IV. Claim Objections

The Office Action asserts that a switch cannot be both normally open and normally closed. Independent claim 1 has been amended to clarify that the switch may be configured either as a normally-open switch or as a normally-closed switch. Applicant would like to thank the Examiner for pointing this out and Applicant now asserts that claim 1, as amended, is in a condition ready for patenting.

V.   Rejections under 35 U.S.C. § 102

Claims 1, 16, and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,275,158 to Lopin (Lopin). Lopin is directed to method and apparatus for detecting the open or closed state of a pair of manually-operated switches associated with a pair of defibrillation pulse electrodes, the switches being normally open and being manually closed by an operator.

Independent claim 1 relates to a circuit for monitoring the state of at least one switch. Applicant respectfully submits that Lopin fails to teach or suggest at least one of the distinguishing features of independent claim 1, namely, a first configuring circuit, connected to a first monitoring circuit, for configuring the first monitoring circuit to utilize one of the normally-open detection circuit and the normally-closed detection circuit based on the switch configuration. Instead, Lopin teaches only normally open switches and fails to teach any configuring circuit which selects either a normally open or normally closed detection circuit. Therefore, withdrawal of the rejection of amended claim 1 is respectfully requested.

Independent claim 16 recites a method for detecting the state of at least one switch using a circuit. Applicant respectfully submits that Lopin fails to teach or suggest at least one of the distinguishing features of independent claim 16, namely, configuring a circuit, coupled to a switch, based on whether the switch is a normally-open switch or a normally-closed switch wherein configuring the circuit comprises: activating a normally-open detection circuit and deactivating a normally-closed detection circuit if the switch is a normally-open switch; and activating a normally-closed detection circuit and deactivating a normally-open detection circuit if the switch is a normally-closed switch; detecting, by the activated one of the normally-open detection circuit and the normally-closed detection circuit, the switch changing states. Instead, Lopin teaches only normally open switches and fails to teach any configuring circuit which selectively activates and deactivates either a normally open or normally closed detection circuit. Therefore, withdrawal of the rejection of amended claim 16 is respectfully requested.

Independent claim 21 relates to a system for detecting the switch opening or the switch closing. Applicant respectfully submits that Lopin fails to teach or suggest at least one of the distinguishing features of independent claim 21, namely, a third circuit coupled to the first circuit and the second circuit for activating one of the first circuit and the second circuit and deactivating the other of the first circuit and the second circuit. Instead, Lopin teaches only normally open switches and fails to teach any configuring circuit which selectively activates and deactivates either a normally open or normally closed detection circuit. Therefore, withdrawal of the rejection of amended claim 21 is respectfully requested.

VI.   Rejections under 35 U.S.C. § 103

Claims 2-3, 8-9, 15, 17-20, and 22-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lopin in view of U.S. Patent No. 6,861,955 to Youssef (Youssef). Claims 2-3, 8-9, 15, 17-20, and 22-23 depend from one of base claims 1, 16, or 21 and thereby inherit all of the limitations of their respective base claim. The proposed combination does not teach each and every element of the claims. Applicant asserts that claims 2-3, 8-9, 15, 17-20, and 22-23 are patentable over the proposed combination, at least, because of their dependence from patentable independent claims. For example, the proposed combination does not teach a first monitoring circuit, coupled to a switch, comprising: a normally-open detection circuit for detecting when the switch, if configured as a normally-open switch, closes and generating a first signal based on the detection; and a normally-closed detection circuit for detecting when the switch, if configured as a normally-closed switch, opens and generating a second signal based on the detection. Accordingly, Applicant requests the Examiner withdraw the rejections of claims 2-3, 8-9, 15, 17-20, and 22-23 under 35 U.S.C. § 103(a).

In view of the above amendment and remarks, Applicant believes the pending application is in condition for allowance.

Dated: ___8/18/06___

Respectfully submitted,

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